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 Attorney Docket No. 0380-P04094US0  
 U.S. Application No. (If Known) Not yet assigned  
 Express Mail Label No.: EL997340790US

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**TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371**

Int'l Application No.  
 PCT/GB2004/005018

Int'l Filing Date  
 29 November 2004

Priority Date Claimed  
 28 November 2003

**TITLE OF INVENTION**

**Erythromycins and Process for Their Preparation**

Applicant(s) for DO/EO/US

**KENDREW, Steven, Gary and LILL, Rachel, Elizabeth**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
  - Certificate of Mailing by Express Mail Under 37 C.F.R. §1.10
  - Copy of Form PCT/IB/308 - 1 page
  - Paper copy of sequence listing
  - Copy of Form PCT/IB/304 - 1 page
  - Copy of Form PCT/IB/306 - 2 pages
  - Postcard
  - Check in the amount of \$1,850

U.S. Application No. Not yet assigned <b>0380781</b>		International Application No. PCT/GB2004/005018		Docket No. 0380-P04094US00	
The following fees are submitted:					
21. <input checked="" type="checkbox"/> BASIC NATIONAL FEE .....				\$300	
22. <input checked="" type="checkbox"/> Examination Fee					
If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....				\$100	
All other situations .....				\$200	
23. <input checked="" type="checkbox"/> Search Fee					
USPTO was International Searching Authority or International Preliminary Examining Authority and all claims satisfy provisions of PCT Article 33(1)-(4) .....				\$0	
Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as a International Searching Authority. ....				\$100	
International Search Report prepared by International Search Authority other than USPTO, but provided to Office by Applicant(s) .....				\$400	
All other situations .....				\$500	
Total of 21, 22, 23				\$1,000	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program filed in an electronic medium). Total Sheets      Extra Sheets      No. of each add'l 50 (round up to whole number) -100 =                      /50 =                      x \$250				\$0	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date				\$0	
Claims	Number Filed	Number Extra	Rate		
Total Claims	37 -20	= 17	50	\$850	
Independent Claims	3 -3	= 0	200	\$0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360		
<b>TOTAL OF ABOVE CALCULATIONS</b>				\$1,850	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2					
<b>SUBTOTAL =</b>				\$1,850	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f))				\$0	
<b>TOTAL NATIONAL FEE =</b>				\$1,850	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property				\$0	
<b>TOTAL FEES ENCLOSED =</b>				\$1,850	

- a. ☒ A check in the amount of \$1,850 to cover the above fees is enclosed
- b. ☐ Please surcharge Deposit Account No. 04-1406 in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1406. A duplicate copy of this sheet is enclosed.

SEND ALL CORRESPONDENCE TO: **CUSTOMER NUMBER 000110** to the attention of the individual listed below.



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10/580781  
AP20R33761/TO 26 MAY 2006

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**CERTIFICATE OF MAILING  
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I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. \$1.10 on the date indicated above, and is addressed to the COMMISSIONER OF PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450.

Caren Burgoon

Typed Name of Person Mailing Paper or Fee



Signature of Person Mailing Paper or Fee

Re: New Patent Application  
(National Phase of International  
Patent Application No. PCT/GB2004/005018  
Entitled: Erythromycins and Process for  
Their Preparation  
International Filing Date: 29 November 2004  
Earliest Claimed Priority Date: 28 November 2003  
Our File No. 0380-P04094US00

**Enclosures:**

- Transmittal Letter to the DO/EO/US Concerning a Filing Under 35 U.S.C. §371 (in duplicate)
- First Preliminary Amendment
- Copy of Form PCT/IB/308 - 1 page
- Paper copy of sequence listing
- Disk containing computer-readable form of sequence listing
- Copy of Form PCT/IB/304 - 1 page
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